



City of Annapolis

Department of Planning & Zoning

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Board of Appeals VIRTUAL PUBLIC HEARING April 6, 2021

The Board of Appeals of the City of Annapolis held its regularly scheduled meeting on April 6, 2021 as a virtual public meeting. **Chair** Gallagher called the meeting to order at 7:00pm.

Commissioners Present: **Chair** Robert Gallagher, **Vice Chair** Christian Zazzali, Dr. Nadine Chien, Andrew Burnett

Commissioners Absent: Michael Walsh, Robert Dews

Staff Present: Jacquelyn Rouse, Cynthia Gudenius, Joel Braithwaite-Assistant City Attorney

Others Present: Sheryl Wood-Counsel to the Board

C. APPROVAL OF AGENDA

Vice Chair Zazzali moved approval of the agenda as submitted. Dr. Chien seconded the motion. The motion passed unanimously in a vote 4-0.

D. APPROVAL OF MINUTES

1. March 2, 2021 Meeting Minutes

Dr. Chien moved approval of the March 2, 2021 meeting minutes as submitted. **Chair** Gallagher seconded the motion. The motion passed unanimously in a vote 2-0. (**Vice Chair** Zazzali and Burnett abstained from the vote.)

Chair Gallagher announced that pursuant to the BOA's email authorization, he signed several opinions and an extension request on behalf of the BOA.

E. PUBLIC HEARING

1. Palumbo Variance, #VAR2021-002

Ms. Gudenius presented the City's review of the variance application by James Palumbo for a reduced rear yard setback on property located at 87 Windwhisper Lane to allow for the construction of a sunroom at the rear of the existing dwelling unit. The property is zoned R3 and located within the Limited Development critical area designation. She concluded that the applicant has properly posted the property and sent out appropriate notifications. She recommends approval of the application as presented.

Mr. Tice, Contractor, discussed the proposal on behalf of the applicant.

Chair Gallagher accepted the following exhibits into the record.

Exhibit Number	Board of Appeals Exhibit Type
C.1	Staff Memorandum dated 3/23/21
C.2	Variance Application dated 1/11/21 with attachments

Chair Gallagher accepted the following exhibits into the record.

Exhibit Number	Names	Address	Exhibit Type
T.1	Marie Lamm	Georgetown Road	Email dated 4/5/21

G. **NEW BUSINESS**

Chair Gallagher gave a brief update on the 424-428 Fourth Street project noting the BOA has to make a decision on the remand. He noted while the application was still in the courts, the Applicant applied for a minor modification of the site plan to develop a 65-seat restaurant that Dr. Nash approved. He added the neighbors are now appealing the approval of that minor modification. However, the BOA stayed the decision on the 65-seat restaurant appeal to await the court decision on the 75-seat appeal but the Applicant's Attorney is asking the BOA to schedule the hearing for the 65-seat appeal. He will be requesting briefings within a week from the interested parties that provide arguments on both the remand as well as the second appeal. The BOA will deliberate on the briefs at the April 21, 2021 meeting so the BOA will hold off on schedule the appeal meeting until that time.

H. **ADJOURNMENT**

With there being no further business, Mr. Burnett moved to adjourn the meeting at 7:36pm. Dr. Chien seconded the motion. The motion passed unanimously in a vote of 4-0.

Tami Hook, Recorder